

Chase Cawthorne

From: PAULA FITZSIMONS <monkeypie_1@yahoo.com>
Sent: Tuesday, September 20, 2016 12:40 PM
To: Chase Cawthorne; Rep. Jim Runestad (District 44); Rep. Thomas Hooker; Rep. Kathy Crawford (District 38); Rep. Anthony Forlini (District 24); Rep. Hank Vaupel (District 47); Rep. Marcia Hovey-Wright; Rep. Alberta Talabi (District 2); Rep. Frank Liberati (District 13)
Cc: johnchirkun@gmail.com; Rep. Joel Johnson; Rep. Lee Chatfield (District 107); Rep. Ken Goike; Rep. Mike Callton; Rep. Rose Mary Robinson (District 4); Rep. Ed McBroom; Rep. Jim Tedder (District 43); Rep. Gary Glenn (District 98); Rep. Bruce Rendon; Rep. Tom Barrett (District 71); Rep. Erika Geiss (District 12); District 28; Rep. Edward Canfield (District 84); Rep. Peter Lucido (District 36); Rep. Ray Franz; District 106; Rep. Jason Sheppard (District 56)
Subject: Testimony in Opposition to House Resolutions No. 327 and No. 4141

September 20, 2016

To Representative Hooker, Runestad, Chirkun, Johnson, Chatfield, Goike, Callton, Robinson, McBroom, Tedder, Glenn, Rendon, Barrett, Geiss, Derek Miller, Canfield, Lucido, Franz, Pettalia, Sheppard, Bizon and the Committee on Families, Children, and Seniors:

Please accept this statement as my testimony AGAINST House Resolutions No. 327 and No. 4141.

It is my understanding that the House will be voting on this resolution on September 21, 2016 and I am requesting that my written testimony be considered because my children and I are victims of the whole "parental alienation" concept as well as the ideal that parents have rights that supersede the rights of children to live in a safe and stable environment. My physical presence at this hearing is hindered by my responsibility to provide 24/7 care for my disabled son but I it is imperative that I be heard because I speak on behalf of all abuse victims.

Following the final beating of 4 of my children and myself and my ex-husband's 2nd CONVICTION FOR DOMESTIC VIOLENCE, he proceeded to use "parental alienation" as his basis to continue DOMESTIC VIOLENCE BY PROXY. I was completely unaware of what this was at the time and took me 5 years to figure out what this meant even though it was happening to my children and I throughout the family court process. By the way, his 2nd conviction wasn't simply a 2nd isolated incident but 2 of many violent incidents as well as the isolation that he created by raping me and getting me pregnant 9 times, forcing me to vacate my career as a college graduate and threatening to 'kill me and or take the children from me if I ever let anyone find out what he did in our home and/or if I tried to divorce him'.

When I arrived in criminal court for his 2nd conviction, I was shocked that he wasn't going to jail for any amount of time. He only got a slightly longer probationary period, more forced therapy and drug testing. According to the laws at the time, he wasn't supposed to be allowed a 2nd expungement but low and behold, he got a 2nd expungement as part of his plea deal. Had I been an acquaintance and not a domestic partner to this man, his conviction would have held a far more stringent punishment.

He violated his probation on many occasions. The shocking moment was when he finally got his visits with the children unsupervised nearly a year into our divorce and didn't last a 24 hour period before I got a phone call from his local police department telling me that my children were in their care and custody following a violent altercation between their father and them. Yet, his probation was NOT VIOLATED! Why??? Was it because he was close to the end of his probation or because his probation officer was overloaded with case? I'll never know.

It was 6 weeks later when CPS had finally finished their investigation, substantiated him for CHILD ABUSE AND IMPROPER SUPERVISION, placed on the CENTRAL ABUSE REGISTRY and then belatedly petitioned the court to cease visitation until he received the necessary counseling and education to have a safe and productive supervised visit. Unfortunately for our children, our children were abused for that 6 week period with too many police reports to count and the very next day after CPS made their decision, the courts could not take action fast enough and my children were beat in a Kmart parking lot one by one as he pulled them out of his car. CPS had contacted the local police department and the county Sheriff department and notified them that they suspected something like this would occur so they were on standby thankfully the only serious injury was a sprained hand that required urgent care. It was a 3rd party woman coming out of the store that contacted 911 when she saw what he was doing. Much to her dismay, he not only was beating all of the children but our physically disabled son as well. Sadly, his Domestic Violence charges were dismissed due to procedural technicalities.

Eventually, he came back and petitioned for full and unsupervised visits with the children but wanted to select which children he would have a relationship with so he chose the youngest and the disabled child. Sadly, he continued the abuse. My youngest came home with a sprained shoulder and my disabled son came home every time with fresh bruises and abrasions and within a couple more weeks while he was investigated by CPS, my disabled son suffered a serious open/closed head injury and now suffers a LIFE-TIME SEIZURE DISORDER. His quality of life has diminished drastically because his father should never had unsupervised parenting time with him in the first place.

Their father continued to try to alienate our children and my family and friends from me by telling those that would listen that the abuse was all made up. There were POLICE REPORTS AND CONVICTIONS that told a different story. He has even gone on record in PPO court as well as Probate court saying that he was never convicted for Domestic Violence. These courts were presented with the evidence that he was lying but he tried none the less.

The fact is he was never alienated from his children but had ESTRANGED himself from the children based on his own violent and abusive behavior. It's hard to believe that a barely 18 year old child that was "water boarded" in dirty dishwater in the kitchen sink could ever be considered alienated from her father.

After his 2nd Domestic Violence conviction, I began receiving help from Turning Point of Macomb. It took me weeks in group counseling to come to the realization that the abuse wasn't my fault and how bad it really was. As I continued in therapy for the last 5 years and still do, I realized that there was a reason that my own family and friends never picked up on the clues. Like so many other victims of abuse, we have to stay quiet or the threats of death and hurting our children are REAL! The problem with supporting/acting on a theory of parental alienation, is that there is no reliable way of determining whether there has been abuse involved or not.

For example, had I decided in the 1st 10 years of our marriage to be done with the abuse, there would have been no documented abuse incidents? In this case, your resolution would not consider the abuse when determining custody and therefore puts the children at risk.

Even with the documented abuse, he continued to fight me in court using the theory of “parental alienation” and there were several times that my children were at risk for being turned over to him with full physical custody. I was coerced in the “back room” by being told that if I don’t agree to his demands, I would lose custody and my children would be forced to live with the real risk of being abused on a full-time basis. I was threatened/forced to make the decision to allow unsupervised visits the few weeks here and there that he got it because he would have less opportunity to abuse if he only had every other weekend visits.

During all of this, we’ve been evaluated over and over again by psychologists/psychiatrists. Over and over again, he has been diagnosed as an abuser, Intermittent Explosive Disorder, Clinical Depression, Schizoid and Bi-polar and refused to stay on a medication protocol and therapy regimen to provide a stable and controlled father.

Since he has lost all contact with the children after 4 years, he has forced me into court on many motions, losing every one of them and as well, has violated my PPO several times landing himself in jail and found himself facing Eavesdropping and Eavesdropping-Divulging a Private Conversation FELONY CRIMINAL CHARGES after he wiretapped my phone calls.

I understand that some parents may talk bad about the other parent in an effort to be the favored parent but with no way to demonstrate with confidence that this is the ONLY reason a parent has been estranged, you are putting those children’s lives in jeopardy.

I’ve researched some of the lead characters in the father’s rights movements. Many of them are “card holders” to Domestic Violence convictions. Mr. John Langlois is a prime example of a man that is a convicted Domestic Violence Abuser and knows how to manipulate his family and the system yet he has stood before this committee in support of alienation. If we allow all criminals to come before our legislators with the same credibility of non-criminals, we are seriously missing something in determining how our laws are derived.

By forming the resolution as it stands, you are putting the Child Protective Services agencies in a position to question child abuse. When they should be focused on why and how a child was abused, you will be having them focus on why and how the parent has alienated the child from the other parent. You will have a CPS investigator questioning an abused child’s account of REAL ABUSE.

In your resolution, you do not document who is going to determine if there is parental alienation or parental abuse. You cannot rely on psychologists for this determination because they have decided that there is not a reliable way to determine ‘parental alienation’ and that’s why it is not included in the DSM. How can you rely on the testimony of a person that may or may not be an abuser? CPS is not equipped any more than a psychologist or psychiatrist. The judge certainly is not going to be able to determine an alienator from an abuser. WHO WILL DETERMINE THE DIFFERENCE BETWEEN AN ALIENATOR AND AN ABUSER??

The bottom line is that for the safety of ALL CHILDREN, visits should not be based on “parental rights” but should be placed on the “RIGHTS OF ALL CHILDREN TO LIVE A SAFE AND STABLE CHILDHOOD WITHOUT THE RISK OF ABUSE.”

Assuming that 2 parents can be forced to co-parent for a child’s sake because the court says they have to is a huge assumption, especially in high conflict cases, that the children will have their best interests attended to. Please do not assume that a child’s best interest will be considered when making important decisions for a child and or providing

competent care for them while in each parent's care and control. There is no such thing as a ONE SIZE FITS ALL solution for ALL CHILDREN and this mentality negates the individuality of each family situation.

Please reconsider the adoption of these resolutions as they are because there is no way to confidently determine the difference between an alienated parent versus an estranged parent. If this committee wants to do something constructive for children, they should reaffirm the "Best Interest Factors" when deciding how child custody will look so as to provide for a safe and stable childhood.

With All Sincerity,

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